

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Marianne Liptak, Trustee for the Next  
of Kin of Theresa Rotter and Personal  
Representative of the Estate of Theresa  
Rotter,

CIVIL NO. 16-cv-225-ADM-JSM

Plaintiffs,

vs.

Ramsey County d/b/a Ramsey County  
Care Center; Steven Fritzke, in his  
individual capacity as Administrator of  
the Ramsey County Care Center; Joleen  
Magee, in her individual capacity as the  
Director of Nursing of the Ramsey  
County Care Center; and John Doe, in  
his individual capacity as an employee  
of the Ramsey County Care Center,

**PLAINTIFFS' MOTION TO  
COMPEL THE MINNESOTA  
DEPARTMENT OF HEALTH TO  
PRODUCE THE SUBPOENAED  
DOCUMENTS**

Defendants.

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TO: **DEFENDANTS ABOVE NAMED AND THEIR ATTORNEYS**, Robert Mahoney and Andrea P. Hoversten, Geraghty O'Loughlin & Kenney, P.A., 55 East Fifth Street, Alliance Bank Center, Suite 1100, Saint Paul, Minnesota 55101; **STATE OF MINNESOTA DEPARTMENT OF HEALTH, AND ITS ATTORNEYS**, Audrey Kaiser Manka and Timothy S. Christensen, Assistant Attorneys General, Suite 900, 445 Minnesota Street St. Paul, MN 55101; **UNITED STATES AND ITS ATTORNEY**, D. Gerald Wilhelm, Assistant United States Attorney, 600 U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota 55415.

**MOTION**

Plaintiffs bring this motion, requesting an Order pursuant to Fed. R. Civ. P. 45(d)(2)(B)(i) compelling the Minnesota Department of Health (MDH) to produce select,

uncensored portions of its investigation file relating to Theresa Rotter's March 31, 2013, injury at the Ramsey County Care Center.

Dated: May 24, 2016

s/ Andrew D. Gross

Mark R. Kosieradzki (ID# 577745)

Joel E. Smith (ID# 213184)

Andrew D. Gross (ID# 0395389)

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